

Northern Ireland Troubles (Legacy and Reconciliation) Bill

MOTION TO BE MOVED ON CONSIDERATION OF COMMONS AMENDMENTS

[The page and line references are to HL Bill 37, the bill as first printed for the Lords]

Clause 13

LORDS AMENDMENT 20

Lord Hain to move, as an amendment to the Minister’s motion, leave out from “20” to end and insert “, do disagree with the Commons in their Amendments 20A and 20B, and do propose the following amendments in lieu –

Clause 13, page 11, line 9, at end insert –

“(3A) The Commissioner for Investigations must ensure that each review, whether or not a criminal investigation forms part of the review,”

Clause 13, page 11, line 42, at end insert –

“(6A) The Secretary of State may by regulations prescribe the standards to which the Commissioner for Investigations must ensure that reviews by the ICRIR are carried out.

(6B) Standards prescribed under subsection (6A) may include (but need not necessarily include) –

- (a) whether reviews should be carried out to criminal justice standards,
- (b) what measures should be used to ensure that reviews comply sufficiently with obligations under the European Convention on Human Rights,
- (c) whether as much information as possible should be gathered by reviews in relation to the death or harmful conduct, and
- (d) whether all evidential opportunities should be explored by reviews.

(6C) The Secretary of State may prescribe standards under subsection (6A) –

- (a) following representations from victims’ families or representations on their behalf, or
- (b) if the Secretary of State considers standards should be set or changed in the light of experience of the reviews.

(6D) Regulations under this section are subject to affirmative procedure.”

Clause 15, page 13, line 14, at end insert –

“(2B) If particular questions were included in the request for a review (see section 11(1)), the final report must include –

- (a) the ICRR’s response to those questions, if and to the extent that it has been practicable to respond to them in carrying out the review in accordance with section 13;
- (b) for each question to which it has not been practicable to respond, a statement of that outcome.””

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1st September 2023

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